HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
WRIT PETITION NO. 875 OF 2005.

Chandrakant Khandu Sonawane. ..Petitioner.

Versus.

The State of Maharashtra & Anr. ..Respondents.

Smt. A. S. Pai A.P.P. for the State.

CORAM: S.B.MHASE &
S.R.SATHE JJ
DATE: NOVEMBER 15, 2006.

P.C.

1. Smt. A. S. Pai, learned A.P.P. for the State produced a letter issued by the Suprintendent, Yerwada Central Prison, Pune dated 9.11.2006 along with a copy of the warrant of commitment of the accused to the prison

It has been specifically brought to the notice of this Court that in the said punishment warrant the period from 12.7.1997 to 22.1.2001 has been shown as an undertrial period and thus the benefit of section 428 of the Code of Criminal Procedure, 1973 has been extended for a period of 3 years 6 months 12 days. Therefore, the grievance of the petitioner that the undertrial period has not been considered while passing the order, is not proper and the grievance made by the petitioner stands redressed in view of this letter. The said letter is taken on record and marked "X" for identification. In view of this letter the petition does not survive and therefore the petition is disposed of.

(S.R.SATHE,J.) (S.B.MHASE, J.)